

**Camden Select Board
Minutes of Meeting
February 2, 2011**

PRESENT: Chairperson Karen Grove, Vice Chairperson Deborah Dodge, John French, Morgan Laidlaw, Martin Cates and Town Manager Roberta Smith. Also present were members of the press and public.

ABSENT: Town Attorney William Kelly

Contents

1. Public input on non-agenda items.

Manager Smith reported a parking ban has been put in place for Wednesday, February 2, 2011 beginning at 1 am until Thursday, February 3, 2011 until 5 am. This is in effect for all streets in Camden.

Board member Dodge reported the Ragged Mountain Area Recreation Redevelopment Building Committee will be meeting on Thursday, February 3rd at 5:30 pm in the Washington Street Conference Room. They are going to discuss the next steps to be taken for the redesign of the lodge in order to bring the project back in line with the original budget.

2. Approval of Board Minutes from January 18, 2011.

Martin Cates made a motion to approve the Board Minutes from January 18, 2011 as submitted. John French seconded this motion. The motion passed on a 5-0-0 vote.

3. Bureau of Labor Standards presentation of SHAPE (Safety & Health Award for Public Employers) to the Camden Fire Department. David Wacker, Director of Maine's Workplace Safety and Health Division presented an award to the Camden Fire Department for its safety and health program and told the Board that it is among the state's best of the best and it is not an easy award to get.

He told the Board that the state has two inspectors that annually seek out public sector employers who strive to provide a safe and healthful workplace for employees. The inspectors reviewed the fire department's Occupational Safety and Health log which documents injuries and illnesses, safety and health policies and procedures, employee training programs, and employer record-keeping. They also inspected the fire station and equipment. The department has done a fantastic job. Departments or worksites that are awarded the Safety and Health Award for Public Employers are exempt from programmed inspections during the period the certification is valid which is two years.

4. Appointment of Select Board representation on the Fire Truck Committee. Manager Smith asked the Board if they wanted a Board representative to work with the committee on the specifications for the new fire truck so when the bid comes before the Board for approval they would have a better understanding of what is involved.

Martin Cates made a motion to recommend John French as the Select Board representative for the Fire Truck Committee. Deborah Dodge seconded this motion. The motion passed on a 5-0-0 vote.

7:30 PM

The Board at this time went back to non-agenda items to allow Code Enforcement Officer Steve Wilson to speak on changes made to the Maine Uniform Building and Energy Code (MUBEC).

The MUBEC has been in force in the State of Maine since December 1, 2010. These codes need to be enforced by towns/cities with a population of 2,000 or more that have previously adopted the building code. Since Camden has not adopted the Building Code and has a population over 2,000 we must enforce the code by July 1, 2012. He is going to attempt to define issues and provide background information and then make recommendations and options to deal with the MUBEC.

This may be a moot point because there is legislation proposed to repeal this or at least take the enforcement section out. He wanted everyone to be aware so that we don't get caught up in it later.

5. **Review of the June 30, 2010 Audit Report.** Manager Smith reviewed with the Board the summary of the financial audit overview of the town audits which included: Town Assets, Liabilities, and Fund Equity, Revenues – General Fund, Expenditures – General Fund, Collections and tax rates, Fund Balance Analysis, Undesignated Fund Balance as a percentage of budget, and Revenues and Expenditures charts.
6. **Consideration of a revision to the Stephen Blatt & Associates contract in connection with the redevelopment of the Ragged Mountain Recreation Area.** *TABLED.*
7. **Consideration of renewal victualer license for Jinming Corporation, d/b/a Asian Gourmet at 133 Elm Street.** The application has been reviewed and approved by the Codes Officer and the Fire Department has completed a Life Safety inspection.

John French made a motion to approve the application of Jinming Corporation, d/b/a Asian Gourmet at 133 Elm Street for a victualer license. Deborah Dodge seconded this motion. The motion passed on a 5-0-0 vote.

Chairperson Grove read the rules and regulations for conducting public hearings in preparation of the public hearings to be held this evening.

8. **Public hearing on application of Stuart Smith, d/b/a Lord Camden Inn for a Class III Bed & Breakfast License at 24 Main Street.** Manager Smith reported the application has been reviewed and signed by the Police Chief.

Chairperson Grove asked to hear from any proponents. There were none.
Chairperson Grove asked to hear from any opponents. There were none.

Chairperson Grove closed the public portion of the hearing, no Board discussion followed.

Morgan Laidlaw made a motion to approve application as listed above. Martin Cates seconded this motion. The motion passed on a 5-0-0 vote.

9. Committee Reports. There were none.

10. Manager's Report

- a. Manager Smith reported in the Board's packets was a copy of a letter from Camden Affordable Housing Organization relative to the ordinance provision that the Planning Board has been discussing to require at least 75% of subdivision lots to have certificates of compliance issued prior to a town meeting vote to accept the road(s) in subdivisions
- b. Manager Smith reported she has a draft unfinished storm policy that she is going to put before the Personnel Board soon. Given that we have another significant storm coming tomorrow she wanted the consensus of the Board in terms of the impact on the office if we close for the day. It raises questions whether the day should be paid or unpaid and if it is paid how does that impact the rest of the employees. She has not put the definitions in yet regarding what defines essential- and non-essential employees. It needs another section on the provisions for essential employees. However what it says is non-essential employees are not required to report to work when the Town Manager closes all non-essential Town operations. If that happens employees will be given the following options: use vacation or comp time if available or choose no pay for the workday. The other section says that non-essential employees who arrive at the beginning of their scheduled workday and work a minimum of four hours will be paid for the entire workday should they be sent home prior to the end of their scheduled workday because of severe weather.

It's unusual that we close the office at all or go home early but the more likely scenario is that if the storm worsens we will close up a little bit early to give employees a chance to get home before dark.

Board member French stated the policy makes sense and it is fair to everyone. He asked if the Board wanted to vote to adopt it.

Manager Smith stated it really needs to go before the Personnel Board and it is really not finished. It needs to be defined.

Board member French stated he thinks the Board should make this a temporary measure until the Town Manager refines the policy that if the Town Manager chooses to close the town office it will be a non-paid day unless employees use vacation or comp time if available.

John French made a motion to approve this draft policy and make this a temporary measure until the Town Manager refines the policy that if the Town Manager

chooses to close the office it will be a non-paid day unless employees use vacation or comp time if available. Morgan Laidlaw seconded the motion. The motion passed on a 5-0-0 vote.

The Board discussed with the Town Manager how comp time is accumulated and used. Manager Smith stated it is defined in the Personnel Policy that if you don't take overtime in the same pay period it is accrued as comp time that needs to be used within a certain time it does not accumulate and build up. There are different policies for salaried employees, Camden Snow Bowl and Harbor personnel.

Manager Smith reported she has a personnel item for executive session.

Morgan Laidlaw made a motion to amend the agenda to add Executive Session: Personnel matter 1 MRSA Section 405(6)A. John French seconded this motion. The motion passed on a 5-0-0 vote.

The Board came out of executive session at 8:35 pm.

John French made a motion to adjourn at 8:36 pm. Morgan Laidlaw seconded this motion. The motion passed on a 5-0-0 vote.

Respectfully submitted,

Janice L. Esancy
Recording Secretary (Transcribed from tape)